

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:CR-01-394
	:	
	:	
	:	
v.	:	
	:	
	:	
JAMES W. JOHNSON	:	

**ORDER APPOINTING COUNSEL
AND SCHEDULING A HEARING**

Upon consideration of the motion of James W. Johnson filed pursuant to 28 U.S.C. § 2255, the responsive brief filed by the Government, and Petitioner's reply, **IT IS HEREBY ORDERED THAT:**

1) Attorney James West, Esquire, 105 North Front Street, Harrisburg, Pennsylvania 17101, telephone (717) 233-5051, is appointed to represent Defendant in the captioned action for purposes of the hearing on Petitioner's motion pursuant to 28 U.S.C. § 2255.

2) A hearing on the petition will be held on Wednesday, August 10, 2005, at 9:30 a.m. in Courtroom No. 3, Eighth Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania.

3) The court notes that the motion also alleges incompetency of appellate counsel to which the Government has not responded. The Government shall address this claim at the hearing.

4) The Clerk of Court shall prepare the appropriate paperwork and send it as soon as possible to Attorney West.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: June 15, 2005.